

AMENDMENT TO RULES COMMITTEE PRINT 119-

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OFFERED BY MRS. KIM OF CALIFORNIA

At the end of subtitle B of title XVII, add the following new section:

1 SEC. 17___ . ACCESS TO BENEFICIAL OWNERSHIP INFORMA-
2 TION.

3 Section 5336 of title 31, United States Code, is
4 amended—

5 (1) by redesignating subsection (j) as sub-
6 section (k); and

7 (2) by inserting after subsection (i) the fol-
8 lowing:

9 “(j) ACCESS TO BENEFICIAL OWNERSHIP INFORMA-
10 TION BY PRIVATE PARTIES.—

11 “(1) DEFINITIONS.—In this subsection:

12 “(A) ACCESS LICENSE.—The term ‘access
13 license’ means a license to access beneficial
14 ownership information in accordance with this
15 subsection.

16 “(B) COVERED ENTITY.—The term ‘cov-
17 ered entity’ means a financial institution that

1 provides, or an entity that assists a financial in-
2 stitution in providing, screening services.

3 “(C) PERMITTED PERSONNEL.—The term
4 ‘permitted personnel’ means personnel of a cov-
5 ered entity who are permitted to access bene-
6 ficial ownership information in accordance with
7 this subsection.

8 “(D) PERMITTED PURPOSE.—The term
9 ‘permitted purpose’ means the use of beneficial
10 ownership information for screening services.

11 “(E) SCREENING SERVICES.—The term
12 ‘screening services’ means the risk management
13 procedures and activities undertaken by per-
14 mitted personnel for the protection of the
15 United States national security from inter-
16 national illicit actors and corrupt foreign offi-
17 cials who seek to exploit the financial systems
18 of the United States by engaging in illicit activ-
19 ity such as serious tax fraud, human and drug
20 trafficking, money laundering, financing ter-
21 rorism.

22 “(2) ACCESS LICENSES.—

23 “(A) IN GENERAL.—Notwithstanding any
24 other provision of this section, the Director
25 shall establish a process by which covered enti-

1 ties may apply to the Director for an access li-
2 cense.

3 “(B) DETERMINATION.—The Director may
4 not issue an access license to a covered entity
5 unless the Director determines that—

6 “(i) access to beneficial ownership in-
7 formation under this subsection is predi-
8 cated upon a reasonable concern for
9 United States national security and United
10 States economic stability, by identifying
11 international illicit actors and corrupt for-
12 eign officials and preventing international
13 illicit activity such as—

14 “(I) international terrorist fi-
15 nancing;

16 “(II) any activity engaged in by
17 an agent of the Government of Iran,
18 North Korea, Syria, or any other gov-
19 ernment the Secretary of State has
20 determined has repeatedly provided
21 support for acts of international ter-
22 rorism for purposes of—

23 “(aa) section
24 1754(c)(1)(A)(i) of the Export

1 Control Reform Act of 2018 (50
2 U.S.C. 4813(c)(1)(A)(i));

3 “(bb) section 620A of the
4 Foreign Assistance Act of 1961
5 (22 U.S.C. 2371);

6 “(cc) section 40(d) of the
7 Arms Export Control Act (22
8 U.S.C. 2780(d)); or

9 “(dd) any other provision of
10 law;

11 “(III) any activity engaged in by
12 any individual or entity included on
13 the list of specially designated nation-
14 als and blocked persons maintained by
15 the Office of Foreign Assets Control
16 of the Department of the Treasury; or

17 “(IV) any other illicit financial
18 conduct directly or indirectly sup-
19 porting a transnational criminal orga-
20 nization, transnational drug traf-
21 ficking organization, or transnational
22 money laundering organization;

23 “(ii) the covered entity limits access
24 to and use of the beneficial ownership in-
25 formation to permitted personnel of the

1 covered entity in connection with, or to
2 support, screening services; and

3 “(iii) the use, disclosure, and reten-
4 tion of the beneficial ownership informa-
5 tion is strictly limited to a permitted pur-
6 pose.

7 “(C) DURATION.—

8 “(i) IN GENERAL.—An access license
9 issued under this subsection shall expire on
10 the date that is 2 years after the date on
11 which the license is issued.

12 “(ii) RENEWAL.—An expired access li-
13 cense may be renewed for 2-year periods in
14 accordance with the process established
15 under this paragraph.

16 “(3) REGULATIONS.—The Director shall pro-
17 mulgate regulations governing the use, disclosure,
18 and retention of the beneficial ownership information
19 accessed pursuant to an access license issued under
20 this subsection.”.

